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**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

Your affiant, Special Agent Brandon Childs, asserts that the following information is true to the best of my knowledge, information, and belief:

**I. INTRODUCTION**

1. Your affiant is a Special Agent within the Department of Homeland Security (DHS), Federal Protective Service (FPS), and have been since November 2019. I have completed the Federal Law Enforcement Training Center's Criminal Investigators Training Program, Uniformed Police Training Program, Advanced Interviewing for Law Enforcement Investigators Training Program, the FPS agency specific Advanced Individual Training Program, and the FPS Special Agent Basic Training Program. Your affiant was selected for the FPS Field Training Evaluation Program Instructors course to train and prepare new Law Enforcement Officers for field duty. Prior to holding this position, your affiant was an Inspector with FPS since January 2014, and was employed as a U.S. Army Infantry Staff Non-Commissioned Officer Section Sergeant for the 1<sup>st</sup> Squadron, 89<sup>th</sup> Cavalry Regiment, 2<sup>nd</sup> Brigade Combat Team, 10<sup>th</sup> Mountain Division.

2. Your affiant is currently assigned to the FPS Detroit Field office, which includes the investigation of all threats, and general crimes on or towards persons or federal property controlled by the General Service Administration.

3. In connection with my official duties as a Special Agent, your affiant investigates violations of federal law, including but not limited to Title 18, United States Code, §875, Interstate communications (c).

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4. This affidavit is made in support of a criminal complaint and warrant for the arrest of JUSTIN CRAIG SHIREY, for a violation of Title 18, United States Code, §875, Interstate communications (c) (Whoever transmits in interstate or foreign commerce any communication containing any threat to kidnap any person or any threat to injure the person of another, shall be fined under this title or imprisoned not more than five years, or both.)

5. This affidavit is based on your affiant's investigation and information provided by other investigators. This affidavit is submitted for the limited purpose of establishing probable cause and does not set forth all information known to your affiant about the investigation.

6. The incident that gives rise to this affidavit occurred on June 01, 2022, at the Drug Enforcement Administration (DEA), Resident Office, located at 433 North Summit Street, Toledo, Ohio, which is in the territorial jurisdiction of the United States.

## **II. PROBABLE CAUSE**

7. On June 01, 2022, between 10:49 a.m. and 5:13 p.m., FPS received notifications of an unknown male, later identified as JUSTIN CRAIG SHIREY, telephoning three (3) separate times to the Law Enforcement Agents of the Department of Justice (DOJ), Drug Enforcement Administration (DEA)-Toledo Offices, and making threats to injure real live agents and other law enforcement such as: "I'm sick of you guys, I'm going to shoot you up," "Bitch I'm not gonna play with your ass no more, one of y'all getting killed today," "I'll bust you in your fucking mouth right here, I'm not playing with you," "I'm fittin' to kill one of y'all," "what don't you get motherfucker, I'm gonna kill you," "you think this is a motherfucking game, like I won't bust you in your fucking mouth," "you know I'm fittin' to kill one of y'all, right?" "yeah bitch, ya'll fittin' to die motherfucker," "send anybody you got, TPD, anybody, I'll fuck em' up," "fuck you bitch I'll kill you," "one of ya'll will get killed you bitch," "if you keep disrespecting me motherfucker, you're gonna die," "you can take it how you want it, but I don't give a fuck, I will

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pull your gun right off you and shoot you with your own pistol, you dumb bitch,” and “I’m not playing with you, put my money back on my card, you got like an hour.”

8. After learning of the telephonic threats, FPS responded to the Toledo DEA resident office: 433 North Summit Street, Toledo, Ohio 43604, and completed an incident report documenting the harassing telephonic communication.

9. An investigation was initiated and found the unknown male had phoned the DEA administrative line, (419) 259-6490 and made the aforementioned statements to an identified federal employee, hereinafter referred to as VICTIM 1 (VC-1). The killing of VC-1, an employee of the DEA, would be a crime under 18 U.S.C. § 1114.

10. VC-1 is employed by the DEA and was engaged in the performance of their official duties when speaking to JUSTIN CRAIG SHIREY.

11. On June 01, 2022, an investigation into the phone number, 567-329-8331, revealed the subscriber phone carrier company to be T-Mobile, where an exigent request for subscriber detail information, and phone location was executed on T-Mobile cellular on June 02, 2022.

12. The incoming latitude and longitude coordinates revealed the phone was shown to be located at residence 722 Church Street, Toledo, Ohio 43605.

13. DEA Law Enforcement Agents established surveillance of the residence and confirmed a white male, later identified as JUSTIN CRAIG SHIREY, screening the incoming phone calls when phoned by FPS and DEA Agents. The Agents visually confirmed JUSTIN CRAIG SHIREY would intermittently leave the residence of 722 Church Street, Toledo, Ohio 43605 on foot throughout the day, where the location of the phone would also correlate the same location of his physical location.

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14. Through investigation of JUSTIN CRAIG SHIREY's Ohio Law Enforcement Gateway profile, he was found to have been previously incarcerated at the Corrections Center of Northwest Ohio (CCNO) during the month of September 2021, where he had completed multiple telephonic calls to a person believed to be his mother at number 419-575-6800.

15. The number 419-575-6800 was cross referenced on the provided T-Mobile subscriber detail report and was also found on JUSTIN CRAIG SHIREY's cellular telephone call logs.

16. A voice sample was obtained from the CCNO of JUSTIN CRAIG SHIREY speaking to a person believed to be his mother, who was reasonably believed to be an identical match for the voice sample taken from the DEA Agent's recorded telephonic interaction of JUSTIN CRAIG SHIREY on June 01, 2022.

17. FPS and DEA Agents confirmed with T-Mobile Wireless the phone calls transmitted by JUSTIN CRAIG SHIREY to the DEA were routed through Philadelphia, Pennsylvania, before returning to the office located in Toledo, Ohio, meaning there is probable cause to believe the communications described herein were transmitted interstate.

18. On June 02, 2022, Special Agents with FPS and DEA reviewed NCIC information and conducted a query of the Ohio Law Enforcement Gateway pertaining to JUSTIN CRAIG SHIREY, and confirmed he has a conviction for Theft, a felony of the Fifth Degree. Additionally, JUSTIN CRAIG SHIREY has multiple incarcerations in the State of Ohio at the Corrections Center of Northwest Ohio.

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19. A search of BMV records indicate JUSTIN CRAIG SHIREY uses 722 Church Street, Toledo, Ohio as his current home address and is listed on his driver's license.

20. JUSTIN CRAIG SHIREY has an active protection order out of the Lucas County Court of Common Pleas. The case number is DV-2017-0258. The protection order is valid through August 14, 2022. The protection order alleges that JUSTIN CRAIG SHIREY threatened to kill petitioner, locked petitioner in a bedroom for a period of time, and assaulted petitioner. Accordingly, JUSTIN CRAIG SHIREY is prohibited from possessing a firearm while he is subject to this protection order.

21. On June 03, 2022, an authorized search warrant of JUSTIN CRAIG SHIREY's residence was conducted where the cellular telephone used in the commission of the crime was found in the residence. JUSTIN CRAIG SHIREY provided a physical description and exact location of the cellular telephone within the residence, where FPS and DEA Special Agents located and phoned the cellular telephone to confirm number 567-329-8331 was operational.

22. On June 03, 2022, a Probable Cause arrest was authorized and effected of JUSTIN CRAIG SHIREY upon discovery of evidence pertaining to violations of 18 United States Code 875(c), which were found to be contained within the property during the search of JUSTIN CRAIG SHIREY's residential dwelling.

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### III. CONCLUSION

23. Probable cause exists that on or about June 01, 2022, JUSTIN CRAIG SHIREY transmitted in interstate commerce communications to VC-1 that contained a threat to injure VC-1, other DOJ, and DEA federal employees, in violation of Title 18, United States Code, Section 875(c).

24. Based on the foregoing, probable cause exists that JUSTIN CRAIG SHIREY did threaten to harm VC-1, and other federal employees, employed by the DEA, with the intent to impede, intimidate, interfere with, or retaliate against, while they were engaged in the performance of, or on account of their official duties, in violation of 18 U.S.C. § 875(c).

Respectfully submitted,

  
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Special Agent Brandon Childs  
DHS, FPS

Sworn to via telephone on this 6<sup>th</sup> day of June 2022,  
after submission by reliable electronic means.  
Fed.R.Crim.P. 4.1 and 41(d)(3).

  
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DARRELL A. CLAY  
U.S. MAGISTRATE JUDGE